

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR01-101-RSL
)	
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
JOHN CARLTON PETRUS,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An evidentiary hearing on supervised release revocation in this case was scheduled before me on April 14, 2006. The United States was represented by AUSA Ye-Ting Woo and the defendant by Jeffrey Smith. The proceedings were recorded on cassette tape.

Defendant had been sentenced on or about February 1, 2002 by the Honorable Robert S. Lasnik on a charge of Conspiracy to Manufacture 50 Grams or More of Methamphetamine and sentenced to 60 Months Custody, 5 years Supervised Release. (Dkt. 603.)

The conditions of supervised release included requirements that defendant comply with all local, state, and federal laws and with the standard conditions of supervision. Other special conditions included no firearms, mandatory drug testing, narcotic addiction or drug dependency

01 treatment and testing, refrain from alcohol and other intoxicants, submit to search, and provide
02 access to financial information.

03 On September 27, 2005, the conditions of supervised release were modified to require
04 participation in a home confinement program with electronic monitoring for up to 60 days. (Dkt.
05 1126.)

06 On December 8, 2005, defendant admitted to violating the conditions of supervised release
07 by driving under the influence, failing to report police contact within 72 hours, and failing to
08 appear for drug testing. The defendant was remanded to custody for seventy five days, with
09 supervised release for fifty-five months.

10 In an application dated April 3, 2006 (Dkt 1153), U.S. Probation Officer Brian Facklam
11 alleged the following violations of the conditions of probation:

12 1. Failing to reside at a community corrections center for 75 days by absconding on
13 March 29, 2006 in violation of special condition 6.

14 2. Failing to appear for drug testing on February 9, March 14, 27, and 31, 2006 in
15 violation of special condition 3.

16 Defendant was advised in full as to those charges and as to his constitutional rights.

17 Defendant admitted each of the alleged violations and waived any evidentiary hearing as
18 to whether they occurred.

19 I therefore recommend the Court find defendant violated his supervised release as alleged
20 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
21 set before Judge Lasnik.

22 ///

01 Pending a final determination by the Court, defendant has been detained.

02 DATED this 14th day of April, 2006.

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04 Mary Alice Theiler
05 United States Magistrate Judge

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07 cc: District Judge: Honorable Robert S. Lasnik
08 AUSA: Ye-Ting Woo
09 Defendant's attorney: Jeffrey Smith
10 Probation officer: Brian Facklam
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